

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL DOCKET NO. 5:13CR22-RLV

UNITED STATES OF AMERICA

vs.

DENNIS WAYNE PARRIS,
Defendant.

ORDER

THIS MATTER is before the Court upon the Motion To Continue and Motion For Joint Proposed Peremptory Setting for the above captioned matter filed on June 11, 2013, representing the knowledge and consent by both parties. The matter is currently scheduled for July 8, 2013, criminal term in the Statesville Division.

In The Motion To Continue and Motion For Joint Proposed Peremptory Setting, the parties acknowledge or represent the following:

1. The Defendant was indicted on April 3, 2013, in the Statesville Division;
2. Attorney, Peter Anderson was retained by Defendant on May 15, 2013;
3. A portion of the discovery was received by defense counsel on May 29, 2013.
4. AUSA, Mike Savage has a four week trial before the Honorable Martin Reidinger scheduled to begin in October 2013.
5. Both parties have conferred, and request a peremptory setting in December 2013, anticipating that trial will take two weeks.
6. Discovery is voluminous and complex with over a million pages of electronic data provided by the Government as part of discovery, and 450 boxes of materials along with 54 computers from Defendant's former employer currently

in the possession of a receiver located in Raleigh, N. C. In addition, parties need a fixed time frame in order to coordinate witness testimony.

7. Parties request pretrial motions, including motions to compel discovery, motions to suppress, and motions under Rule 7, 8, 12, 13, 16, 21, and 41 be filed no later than October 21, 2013. Additionally, responses to any such motions be filed no later than November 6, 2013, and reply briefs be filed no later than November 13, 2013.
8. Parties request motions in limine be filed no later than November 6, 2013, with responses filed no later than November 15, 2013, replies filed no later than November 25, 2013.
9. Parties request propose that *voir dire* questions, as well as proposed jury instructions be filed no later than November 15, 2013.
10. Exhibit lists and exhibits are to be exchanged by both parties no later than November 15, 2013. Exhibits included in this exchange are any exhibits to be marked and offered at trial and any exhibits to be shown to witnesses, either on direct or cross examination. Objections to admission of specific exhibits are to be filed no later than November 25, 2013.

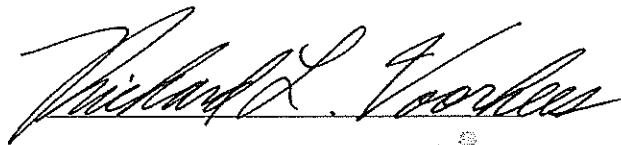
For the reasons stated in the parties' joint motion and upon a showing that the parties have not had sufficient time within which to adequately prepare in this case, taking into account the exercise of due diligence, the Court will allow the continuance. **18 U.S.C. § 3161(h)(8)(B)(iv).** The Court further finds that the ends of justice served by taking such action as requested by both parties outweigh the best interest of the public and the Defendant to a speedy trial. Thus, the time period from July 8, 2013,

until the date of the Defendant's trial, during a special term, to be held in December, 2013, in the Statesville Division, is excludable from the speedy trial time period.

IT IS, THEREFORE, ORDERED THAT:

1. This matter is peremptorily set for December 3, 2013, at 9:30 AM, in the Statesville Division;
2. Jury selection be set for November 13, 2013, at 9:30 AM, our regular trial term in the Statesville Division;
3. A deadline for Proposed *voir dire* questions be set for October 18, 2013; and
4. All further deadline requests; for pretrial motions, including motions to compel discovery, motions to suppress, and motions under Rule 7, 8, 12, 13, 16, 21, and 41, motions in limine, proposed jury instructions, exhibits and exhibit list, as well as, responses, replies or reply briefs, and oppositions made by the parties in their joint motion.

Signed: June 18, 2013



Richard L. Voorhees
United States District Judge

